

REMARKS

In the current and final Office Action, claims 1-68 and 70-72 were examined.
Claims 1-68 and 70-72 were rejected.

Specifically, claims 1-68 and 70-72 were "rejected under 35 U.S.C. 102(e) as being anticipated by Aharoni et al. (US 6,014,694)."

Of pending claims 1-68 and 70-72, claims 1, 24, 47, 65, 68, and 72 are independent.

I. Multiple instituted rejections fail to establish a prima facie rejection inasmuch as they fail to comport with MPEP 2112.

In particular, MPEP 2112 part IV is entitled "EXAMINER MUST PROVIDE RATIONALE OR EVIDENCE TENDING TO SHOW INHERENCY". The third sentence of this part IV reads:

To establish inherency, the extrinsic evidence must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.

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2 In the rejection of claim 1 on page 2, in paragraph #4, at line 6, the final
3 Office Action indicates that a claimed element is "(inherent)".

4 In the rejection of claim 24 on pages 2-3, in paragraph #5, at line 6, the final
5 Office Action indicates that a claimed element is "(inherent)".

6 However, it is respectfully submitted that neither rejection appears to provide
7 the requisite "rationale or evidence tending to show inherency".

8
9 Moreover, no packets, information, data, etc. of Aharoni et al. are transmitted
10 with an included indication of priority. More specifically, different frames of
11 different priorities may be sent using different mechanisms. (See Aharoni et al., e.g.,
12 column 9, lines 57 to column 10, line 20; Figure 14; and column 17, lines 10-37.)
13 However, no indication of a priority level is transmitted with any packets,
14 information, data, etc. in Aharoni et al.

15 Accordingly, no art of record, either alone or in any combination, anticipates
16 or renders obvious at least the following elements in conjunction with the other
17 elements of their respective claims:

18 Claim 1: selectively transmitting the portions of the object-based media
19 information along with the associated plurality of different
20 transmission priority levels over a network...

21 Claim 24: a server device configured to provide a data bitstream that
22 includes object-based media information having portions of the
23 object-based media information associated with a plurality of
24 different transmission priority levels and that includes
25

1 identifications of the associated plurality of different transmission
2 priority levels.

3 Claim 47: receiving data at the communications node that includes
4 object-based media information that is packetized according to
5 different transmission priority levels, the data including
6 indications of the different transmission priority levels.

7 Claim 68: a third field comprising a network packet header and
8 containing data identifying the specific transmission priority
9 level of the data in the at least one second field.

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13 **II. The instituted rejection of claim 65 fails to establish a prima facie**
14 **rejection inasmuch as an element of the claim is not addressed in the 35 U.S.C.**
15 **102(e) *anticipation* rejection.**

16 Specifically, in the rejection of claim 65 on pages 3-4, in paragraph #7, no
17 corresponding aspect or item in Aharoni et al. is given of for the claimed at least one
18 video transmission agent (VTA) element. It is respectfully submitted that there is
19 no corresponding aspect or item in Aharoni et al. for this claimed element. Hence,
20 Aharoni et al. cannot anticipate claim 65.

1 **III. Aharoni et al. does not describe any transmission priority**
2 **differentiation internally within a single frame.**

3 To wit, Aharoni et al. only appears to assign degrees of importance or priority
4 to frame types. (See Aharoni et al., e.g., column 9, lines 60-62.)

5 In contradistinction, claim 72 recites wherein shape information is
6 associated with a higher transmission priority level than texture information
7 within a single frame.

8 Furthermore, Aharoni et al. does not differentiate between shape and texture
9 information.

10 Accordingly, no art of record, either alone or in any combination, anticipates
11 or renders obvious at least the following element(s) in conjunction with the other
12 elements of claim 72: associating portions of the object-based media information

13 **with a plurality of different transmission priority levels based, at**
14 **least in part, on whether a given portion of the object-based media**
15 **information comprises shape information or texture information;**
16 **wherein shape information is associated with a higher**
17 **transmission priority level than texture information within a**
18 **single frame.**

1 **IV. The Office is also invited to reconsider the propriety of the rejections**
2 **instituted against the dependent claims. For example, the Examiner's attention**
3 **is directed in particular to the following dependent claims:**

4
5 **Claim 7: causing the network to selectively halt the transmission**
6 **of a first data packet carrying object-based media information that is**
7 **associated with a first priority level prior to halting the transmission of a**
8 **second data packet carrying object-based media information that is**
9 **associated with a second priority level if the second priority level is**
10 **higher than the first priority level, should a need arise while transmitting**
11 **the first and second data packets.**

12 **Aharoni et al. does not describe any network transmission halting.**

13
14 **Claim 9: wherein the object-based media information includes a**
15 **plurality of different types of video frame layers selected from a group**
16 **that includes Intra (I) coded frame layers, Predicted (P) frame layers, Bi-**
17 **directionally (B) predicted frame layers, Intra (I) coded frame**
18 **enhancement layers, Predicted (P) frame enhancement layers, and Bi-**
19 **directionally (B) predicted frame enhancement layers.**

20 **Aharoni et al. does not describe enhancement layers.**

21
22 **Claim 18: the object-based media information includes a plurality**
23 **of different types of video frame layers selected from a group that**
24 **includes Intra (I) coded frame layers, Predicted (P) frame layers, Bi-**
25 **directionally (B) predicted frame layers, Intra (I) coded frame**

1 enhancement layers, Predicted (P) frame enhancement layers, and Bi-
2 directionally (B) predicted frame enhancement layers . . . the object-
3 based media information further includes a plurality of different types of
4 video object information selected from a group that includes control
5 information, shape information, motion information and texture
6 information . . . wherein associating portions of the object-based media
7 information with the plurality of different transmission priority levels
8 further includes setting the transmission priority levels based at least in
9 part on the type of video frame layer and the type of video object
10 information.

11 Aharoni et al. does not describe setting transmission priority levels
12 based on the type of video frame layer *and* the type of video object
13 information.

14
15 Claim 19: setting control information to a class 0 transmission
16 priority level . . . setting shape information and texture DC information
17 of at least one Intra (I) coded frame layer to a class 1 transmission
18 priority level . . . setting texture AC information of the Intra (I) coded
19 frame base layer to a class 2 transmission priority level . . . setting shape
20 information and motion information of at least one Predicted (P) frame
21 layer to a class 3 transmission priority level . . . setting texture
22 information of the Predicted (P) frame layer to a class 4 transmission
23 priority level . . . setting shape information, motion information and
24 texture information of at least one Bi-directionally (B) predicted frame
25 base layer to a class 5 transmission priority level . . . wherein the class 0

1 transmission priority level is higher than the class 1 transmission priority
2 level, the class 1 transmission priority level is higher than the class 2
3 transmission priority level, the class 2 transmission priority level is
4 higher than the class 3 transmission priority level, the class 3
5 transmission priority level is higher than the class 4 transmission priority
6 level, and the class 4 transmission priority level is higher than the class 5
7 transmission priority level.

8 Aharoni et al. does not describe the above element(s). It is also
9 respectfully submitted that the above element(s) are not "inherent" in Aharoni
10 et al., as is asserted at the rejection of claims 19, 42, and 61 on pages 7-8, in
11 paragraph #22, at the second to last line.

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14 Regardless, reasons for the allowability of independent claims 1, 24, 47, 65,
15 68, and 72 have been provided above. Claims 2-23/70, 25-46, 48-64/71, and 66-67
16 depend directly or indirectly from independent claims 1, 24, 47, and 65, respectively.
17 Although each also includes additional element(s) militating toward allowability
18 (some of which are individually noted above), these dependent claims are allowable
19 at least for the reasons given above in connection with their respective independent
20 claims.

CONCLUSION

It is respectfully submitted that all of pending claims 1-68 and 70-72 are allowable, and prompt action to that end is hereby requested.

Respectfully Submitted,

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